

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

ALEX GARCIA,

Petitioner,

v.

FCI TEXARKANA,

Respondent.

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CIVIL ACTION NO. 5:16-CV-00168-RWS

ORDER

Petitioner Alex Garcia, a former inmate of the Federal Correction Institution (“FCI”) in Texarkana, Texas, filed this writ of habeas corpus pursuant to 28 U.S.C. § 2241. This Court referred the case to the United States Magistrate Judge pursuant to 28 U.S.C. § 636 and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges.

On October 12, 2017, the Magistrate Judge issued a Report and Recommendation recommending denying Petitioner’s writ of habeas corpus. Docket No. 10 at 4. A copy of this Report was sent to Petitioner at his then last known address at FCI Texarkana but was returned with a notation stating that Petitioner was on home confinement. Docket No. 11. FCI Texarkanra could not provide a forwarding address to the Court. On August 23, 2018, the United States Attorney notified the Court that Petitioner was no longer in detention or confinement. The United States Attorney provided a new address for Petitioner and a copy of the Report was sent to that address. The Court has received no response.

Petitioner is a *pro se* litigant. Under the Local Rules of the Eastern District of Texas, *pro se* litigants must provide the Court with a physical address and are “responsible for keeping the

clerk advised in writing of the current physical address.” Local Rule CV-11(d). To date, Petitioner has not updated his address with the Court or filed a response to the Report.

Eight months have passed and Petitioner has not filed objections to the Report and Recommendation. Therefore, this Court reviews the Report and Recommendation for clear error. *Rodriguez v. Bowen*, 857 F.2d 275, 276–77 (5th Cir. 1988). Upon review of the Magistrate Judge’s finding, the Court finds no clear error in the findings and conclusions of the Magistrate Judge denying the writ of habeas corpus. The Court therefore **ADOPTS** the Report of the United States Magistrate Judge as the findings and conclusions of this Court. However, because Petitioner is no longer detained or confined, a writ of habeas corpus is rendered moot. It is accordingly

ORDERED that Petitioner’s writ of habeas corpus is **DENIED AS MOOT**. It is further

ORDERED that any and all motions which may be pending in this civil action are **DENIED**.

The Clerk of the Court is directed to close this case.

SIGNED this 18th day of April, 2019.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE